3

CHS/-

Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

MISCELLANEOUS APPEAL NO. 996 OF 2003

APPELLANT CLAIMANT : Kamla Bai,wife of Latel Rajak, aged about 35 years,resident of Village- Baima Nagoi, District-Bilaspur,(C.G.)

V E R S U S

RESPONDENTS NON-CLAIMANTS : 1. Jairam Sahu, son of Bisahuram Sahu, resident of Village-Basiya Police Station-Chakarbhatha, presently address-Village-Bharari, Police Station.-Kota, District-Bilaspur,(C.G.)

: 2. Smt. Indu Golcha,wife of P.C.Golcha,resident of Minocha Colony,Police Station-Civil Lines,District-Bilaspur, (C.G.)

P.R. No. 23.12.03
Presented by Shri R.K. Upadhyay
dated 12.12.03

: 3. Oriental Insurance Company, Divisional Office, High Court Road, Bilaspur,(C.G.)

MISCELLANEOUS APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT.

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 996 OF 2003

Appellant : Kamla Bai

Versus

Respondents: Jairam Sahu & others

(Arising out of Claim Case No. 15 of 2002)

9-1-2007

Appellant - Kamla Bai, appears in person with Shri M.K. Bhaduri & Shri P.K. Tulsyan, counsel for the appellant.

None for respondents No. 1 & 2.

Shri J.M. Gairola, Divisional Manager, Oriental Insurance Company Limited with Shri A.K. Athaley, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.20,000/- (Rupees twenty thousand only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.200/- (Rupees two hundred only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-

Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/- 11.1.07

Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri